

Massachusetts House of Representatives Bill Summary

Bill #: H.2316

Title: An Act to improve parking and pedestrian safety

Sponsor: Rep. Brian Murray

Committee: Municipalities and Regional Government

Hearing Date: July 22, 2025

Prior History: Refile of H.2090 (Study Order H.4573)

Similar Matters: S.1462 nearly identical except for effective date

Current Law: Chapter 22 of MGL governs the Division of Professional Licensure Office of Public Safety and Inspections. Section 13A concerns the architectural access board; members; terms; rules and regulations; penalties; and definitions.

Chapter 90I Section 3 of MGL regulates the criteria that municipalities must meet to be eligible for the Complete Streets Program.

Chapter 143 of MGL governs inspection of buildings, elevators, etc.

Chapter 175 of MGL concerns the regulation of insurance.

Summary: Section 1 amends Chapter 22 of MGL by adding language that requires the construction of “safety appurtenances” at commercial buildings where angled or perpendicular on-street parking is provided. This section lists the criteria to be met when constructing the bollards, defines the term commercial building, and prescribes the other standards which must be met to satisfy the requirements of the proposed law. It also provides a means by which the developer or other property owner may request and obtain a waiver if, due to unique circumstances explained in writing, compliance with the law would constitute an unreasonable burden. The owner and/or developer could propose the use of alternative safety measures. This section authorizes the department to promulgate rules and regulations for the construction, installation, and maintenance of the safety appurtenances.

Section 2 creates a 15-member commission to review best practices for planning, design, installation, and maintenance of physical safety

measures to improve the safety of parking lots and public spaces. This commission would also recommend rules and regulations governing bollards and other safety devices to protect sidewalks and other public spaces from vehicle encroachment. The commission would be comprised of representatives of the Massachusetts House of Representatives, Massachusetts Senate, Executive Office of Public Safety and Security, the Architectural Access Board, Massachusetts School Building Authority, Department of Transportation, a professional engineer, the Massachusetts Municipal Association, NAIOP (commercial real estate development association), architects, property insurance underwriters, general contractors, and the American Public Works Association. The deadline for submitting a report would be December 31, 2021.

Section 3 amends Chapter 90-I by inserting language to the list of criteria that cities and towns must meet to qualify for the Complete Streets Program. Eligible projects would need to comply with the requirements set forth in the new section 23 of Chapter 22, which would be created by Section 1 of this bill.

Section 4 amends Chapter 175 of the General Laws by adding language authorizing insurance companies to consider the installation of safety appurtenances when determining insurance policy coverage and costs. It also authorizes the insurance commissioner to promulgate rules and regulations to implement this section.

Section 5 states that Sections 1,3, and 4 of this act shall go into effect on July 1, 2022

Section 6 contains a provision grandfathering commercial buildings that were permitted before the effective date of this act.

Notes:

The intent of this legislation is to promote the installation and use of vertical safety structures, commonly known as bollards, that are designed to separate parking spaces from a building and prevent motor vehicles from breaching a pedestrian walkway or building structure.

This bill has expired dates in Sections 2 and 5, sections that concern when the commission has to produce a report and when certain sections of the bill take effect. If bill is to be moved out of committee, these dates must be updated.

H.2316 is similar to S.1462 but differ in Sections 2 and 5 regarding the specific dates referenced in these sections. S.1462 requires the commission to publish its report in Section 2 by December 31, 2025 while H.2316 requires this report by December 31, 2021. Additionally, in S.1462 holds in Section 5 that Sections 1, 3, and 4 of this legislation

to take effect on July 1, 2026 while H.2316 holds that these sections shall take effect on July 1, 2022.